

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 CENTRAL DISTRICT OF CALIFORNIA
8

9 ALMONT AMBULATORY SURGERY
CENTER, LLC, *et al.*,

10 Plaintiffs,

11 v.

12 UNITEDHEALTH GROUP
13 INCORPORATED, *et al.*,

14 Defendants.

15 UNITED HEALTHCARE SERVICES, INC.,
16 *et al.*,

17 Counterclaim Plaintiffs,

18 v.

19 ALMONT AMBULATORY SURGERY
CENTER, LLC, *et al.*,

20 Counterclaim Defendants.
21
22
23
24
25
26
27
28

Case No 2:14-cv-03053-MWF(AFMx)

**DECLARATION OF
CUSTODIAN OF RECORDS OF
UNITEDHEALTHCARE**

Discovery Cut-off: Sept. 14, 2018
Pretrial Conference: Jan. 7, 2019
Trial Date: Jan. 29, 2019

Magistrate Judge MacKinnon

1 I, Gretchen Hess, declare:

2 1. I am over the age of eighteen years old and not a party to this action.
3 The following facts are within my knowledge and, if called as a witness, I could
4 and would testify competently there.

5 2. I am a Legal Case Information Analyst employed by United
6 HealthCare Services, Inc. ("United"). In my position, I am a custodian of records
7 and am familiar with the way United maintains its business records. The attached
8 Exhibits are true and correct copies of the following described records:

9 (a) Exhibit 1 – hard-copy printout of an electronic claim submission (standard
10 format 837) received by United on September 2, 2014 from Billing
11 Provider Independent Medical Services for services provided to [REDACTED]
12 [REDACTED] on August 9, 2014 and billed with HCPCS and CPT codes S2083
13 and 99213;

14 (b) Exhibit 2 – hard-copy printout of an electronic claim submission (standard
15 format 837) received by United on September 17, 2015 from Billing
16 Provider Salus Medical Services for services provided to [REDACTED]
17 on August 9, 2014 and billed with HCPCS and CPT codes S2083 and
18 99213;

19 (c) Exhibit 3 – February 23, 2016 letter to United Healthcare, from REY
20 ALEXANDER GALLOWAY, 9461 Charleville BLVD., #476, Beverly
21 Hills, CA 90212, together with seven (7) pages of attachments, and
22 preceded by a initial Document Separator page, which were received by
23 United on or about February 23, 2016;

24 (d) Exhibit 4 – May 2, 2016 letter from Martha Romo, INDEPENDENT
25 MEDICAL SERVICES, INC., Billing Department, together with four (4)
26 pages of attachments, and preceded by a initial Document Separator page,
27 which were received by United on or about May 2, 2016; and
28

1 (e) Exhibit 5 – October 5, 2016 HCFA-1500 claim form received from billing
2 provider Salus Medical Services, together with ten (10) pages of
3 attachments, and preceded by a initial Document Separator page, which
4 were received by United on or about October 5, 2016.
5

6 3. The records identified above are true and correct copies of documents
7 or other items that were received by United at or near the respective dates set forth
8 above, and were kept in the course of the regularly conducted business of United as
9 a regular practice.
10

11 I declare under penalty of perjury under the laws of the United States of
12 America and the State of California that the foregoing is true and correct.
13

14 DATED: November 13, 2017



15 GRETCHEN HESS
16
17
18
19
20
21
22
23
24
25
26
27
28